

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Igor Garrievich Muttik

Application No.: 10/755,450

Group No.: 2432

Filed: 01/13/2004

Examiner: Lanier, Benjamin E.

For: DETECTING MALICIOUS COMPUTER PROGRAM ACTIVITY USING EXTERNAL
PROGRAM CALLS WITH DYNAMIC RULE SETS

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 41.31)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed March 17, 2009, for a second time rejecting claims 1, 3-13, 15-18, 20-30, 32-35, 37-47, 49-52 and 55.

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for the Notice of Appeal is:

Other than a small entity \$540.00

Notice of Appeal fee due \$540.00

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$0.00 (paid previously on January 31, 2008)

TOTAL FEE DUE \$0.00

5. FEE PAYMENT

Applicant believes that no fees are due in connection with the filing of this paper because the Notice of Appeal fee was paid with a previous submission. However, the commissioner is authorized to charge any fees that may be due to deposit account 50-1351 (Order No. NA11P489).

6. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 50-1351 (Order No. NA11P489).

Date: June 17, 2009

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/KEVINZILKA/

Signature of Practitioner
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